

BILL NO. Z-85-12-09

ZONING ORDINANCE NO. Z-

Withdrawn

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-38.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a B-1-B (Limited Business) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

A tract of land lying within and being a part of
DEROME RESERVE on the East bank of the St. Joseph
River in Section 17, Township 31 North, Range 13
East, in Allen County, State of Indiana, described
in particular as follows, to-wit:

Beginning at a point in the East line of said
Reserve 31.57 chains Northeast from the Southeast
corner of said Reserve; thence Northwest by a
deflection angle of 99 degrees and 24 minutes to
the left of said East line of said Reserve, 16.65
chains to a stone corner; thence Southwestward by
a deflection angle of 76 degrees to the left 0.35
chains to a corner post; thence Westward by a
deflection angle of 50 degrees to the right, 17.32
chains to an iron pipe corner stake; thence
Northwestward by a deflection angle of 78 degrees
to the right, 4.21 chains to an iron pipe stake;
thence Northwestward by a deflection angle of 49
degrees and 30 minutes to the left, 7.41 chains to
an iron pin on the center line of the highway
known as the St. Joe Road; thence Northeastward by
a deflection angle of 98 degrees and 50 minutes to
the right along the center line of said St. Joe
Road, a distance of 318.16 feet to the point of
beginning of the tract of land herein being
described; thence continuing Northeastward on
said road center line, a distance of 108.2 feet;
thence Southeastward by a deflection angle of 72
degrees to the right (71 degrees 53 minutes
measured), a distance of 191.5 feet; thence
Southwestward by a deflection right of 90 degrees,
a distance of 102.8 feet; thence Northwestward
by a deflection right of 90 degrees, a distance
of 225.14 feet to the point of beginning;
containing 0.491 acres;

SUBJECT TO a public road upon and over 20.0 feet

1 Bill No. Z-85-

2 Page two

3
4 off the Northwesterly border thereof.
5 and the symbols of the City of Fort Wayne Zoning Map R-38,
6 as established by Section 11 of Chapter 33 of the Code of
7 the City of Fort Wayne, Indiana are hereby changed
8 accordingly.

9 SECTION 2. That this Ordinance shall be in full
10 force and effect from and after its passage and approval by
11 the Mayor.

12
13 
14 Councilmember

15 APPROVED AS TO FORM AND LEGALITY:

16 BRUCE O. BOXBERGER, CITY ATTORNEY
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FOX RIVER BOND
25% COTTON

Read the first time in full and on motion by Redd
seconded by Talarico, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19_____, at _____ o'clock _____ M., E.S.T.

DATE: 12-10-85
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____
seconded by _____, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____
on the _____ day of _____, 19_____,

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the _____ day of _____, 19_____
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____
19_____, at the hour of _____ o'clock _____ M., E.S.T.

WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

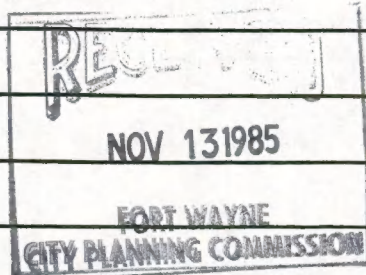
THIS IS TO BE FILED IN DUPLICATE

I/We John A. Sanner and Janet E. Sanner

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RA District to a/an B1B District the property described as follows:

(see legal description attached hereto and made a part hereof as Exhibit "A").



(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

6502 St. Joe Road, Fort Wayne, Indiana

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

John A. Sanner

308 Blue Jacket Run

Fort Wayne, Indiana

Janet E. Sanner

308 Blue Jacket Run

Fort Wayne, Indiana

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

2400 Fort Wayne National Bank Bldg.,

Lawrence E. Shine

P. O. Box 12709, Fort Wayne, Indiana

(219) 424-8000

(Name)

(Address & Zip Code) 46864

(Telephone Number)

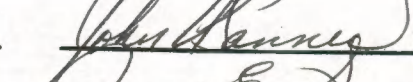
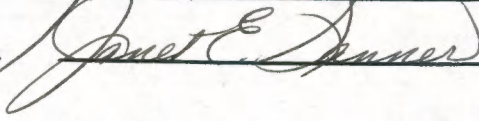
COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

(see legal description attached hereto and made a part hereof as Exhibit "A").

Owners of Property

John A. Sanner	308 Blue Jacket Run	
Janet E. Sanner	Fort Wayne, Indiana	
	308 Blue Jacket Run	
	Fort Wayne, Indiana	
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

A tract of land lying within and being a part of DEROME RESERVE on the East bank of the St. Joseph River in Section 17, Township 31 North, Range 13 East, in Allen County, State of Indiana, described in particular as follows, to wit:

Beginning at a point in the East line of said Reserve 31.57 chains Northeast from the Southeast corner of said Reserve; thence Northwest by a deflection angle of 99 degrees and 24 minutes to the left of said East line of said Reserve, 16.65 chains to a stone corner; thence Southwestward by a deflection angle of 76 degrees to the left 0.35 chains to a corner post; thence Westward by a deflection angle of 50 degrees to the right, 17.32 chains to an iron pipe corner stake; thence Northwestward by a deflection angle of 78 degrees to the right, 4.21 chains to an iron pipe stake; thence Northwestward by a deflection angle of 49 degrees and 30 minutes to the left, 7.41 chains to an iron pin on the center line of the highway known as the St. Joe Road; thence Northeastward by a deflection angle of 98 degrees and 50 minutes to the right along the center line of said St. Joe Road, a distance of 318.16 feet to the point of beginning of the tract of land herein being described; thence continuing Northeastward on said road center line, a distance of 108.2 feet; thence Southeastward by a deflection angle of 72 degrees to the right (71 degrees 53 minutes measured), a distance of 191.5 feet; thence Southwestward by a deflection right of 90 degrees, a distance of 102.8 feet; thence Northwestward by a deflection right of 90 degrees, a distance of 225.14 feet to the point of beginning; containing 0.491 acres;

SUBJECT TO a public road upon and over 20.0 feet off the Northwesternly border thereof.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 10, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-12-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as require by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 16, 1985; and,

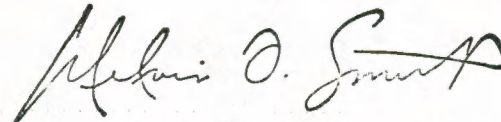
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 30, 1985.

Certified and signed this
31st day of January 1986.



Melvin O. Smith
Secretary

BAKER & DANIELS & SHOAFF

2400 FORT WAYNE NATIONAL BANK BLDG.

P.O. BOX 12709

FORT WAYNE, INDIANA 46864

219-424-8000

FACSIMILE
219-422-5925

IN INDIANAPOLIS
BAKER & DANIELS
810 FLETCHER TRUST BUILDING
INDIANAPOLIS, INDIANA 46204-2454
317-636-4535

IN WASHINGTON
BAKER & DANIELS
SUITE 600 1920 N STREET N. W.
WASHINGTON, D.C. 20036
202-785-1565

TELEX 4972139

January 15, 1986

Mr. Gary Baeten
Division of Community Development
and Planning
8th Floor
City County Building
One Main Street
Fort Wayne, Indiana 46802

Re: Application of John and Janet Sanner
for Rezoning at 6502 St. Joe Road,
Fort Wayne, Indiana

Dear Mr. Baeten:

Please be advised that Mr. and Mrs. Sanner have decided to withdraw their Application for the rezoning of the above-referenced real estate.

Accordingly, they would appreciate your removing the Application from the January 27, 1986 agenda of the monthly meeting of the Fort Wayne City Plan Commission.

Thank you for your cooperation.

Sincerely,

BAKER & DANIELS & SHOAFF

Lawrence E. Shine
Lawrence E. Shine

LES/cas

cc: Mrs. Janet A. Sanner
Mr. Wayne O'Brien

ALBERT BAKER, 1874-1942
EDWARD DANIELS, 1877-1918
JOSEPH J. DANIELS, 1914-1972
FRED B. SHOAFF, 1877-1961
JOHN D. SHOAFF, 1906-1982

JOHN D. COCHRAN
DAN R. WINCHELL
EARL CLAY ULEN, JR.
THOMAS M. MOORHEAD
RICHARD E. AIKMAN
DAVID B. KELLER
J. B. KING
MACLYN T. PARKER
STEPHEN W. TERRY, JR.
THOMAS M. LOFTON
JOSEPH B. CARNEY
RALPH EARLE II*
DANIEL E. JOHNSON
ROBERT L. JESSUP
VIRGIL L. BEELER
WILLIAM F. LANDERS, JR.
GEORGE T. DODD
ROBERT T. HOOVER
THEODORE R. BOEHM
MICHAEL R. MAINE
KENNETH M. WATERMAN
NORMAN P. ROWE
TERRILL D. ALBRIGHT
WILSON S. STOBBER
FRED E. SCHLEGEL
THOMAS M. SHOAFF
JAMES A. ASCHLEMAN
JERRY R. JENKINS
STEPHEN A. CLAFFEY
NORMAN G. TABLER, JR.
DAVID R. FRICK
JOSEPH W. KIMMELL II
RORY O'BRYAN
STEPHEN H. PAUL
CHARLES T. RICHARDSON
DAVID A. SCOTT

MICHAEL J. HUSTON
JAMES H. HEFFERNAN
LEWIS D. BECKWITH
DONALD P. BENNETT
LAWRENCE E. SHINE
N. REED SILLMAN
THOMAS G. STAYTON
JOE C. EMERSON
JOHN R. BURNS III
JAMES M. CARR
JAMES H. HAM III
MARY K. LISHER
DAVID N. SHANE
ROBERT D. SWHIER, JR.
GEORGE W. PENDYGRAFT
THEODORE J. ESPING
BRIAN K. BURKE
DANIEL F. EVANS, JR.
ROBERT W. ELZER
JOHN W. PURCELL
THOMAS A. VOGTNER
DAVID C. WORRELL
FRANCINA A. DLOUHY
STEVEN H. HAZELRIGG
ROBERTA SABIN RECKER
J. DANIEL OGREN
DAVID LAWTHOR JOHNSON
TIBOR D. KLOPPER
HARRY F. MCNAUGHT, JR.
GEORGE M. PLEWS
GEORGE W. SOMERS
MICHAEL L. JAMES
STEVEN L. HOUSEHOLDER
JANICE K. NORMAN
GERALD A. BEARD*
ROBERT E. GRANT
DAVID K. HERZOG
RANDY D. LOSER
CHRISTOPHER G. SCANLON
MARC W. SCISCOE
JOHN B. SWARBRICK, JR.
MICHAEL A. NARDOLILLI*
JOHN R. SCHABLEY III
ROBERT KIRK STANLEY

REBECCA A. RICHARDSON
IRENE T. ADAMCZYK
BENJAMIN W. BLANTON
KEVIN D. BROWN
PAULA F. CARDOZA
LISA T. HAMILTON
JAY JAFFE
ALAN L. McLAUGHLIN
N. CLAY ROBBINS
GAYLE L. SKOLNIK
MARY M. STANLEY
BRENT D. TAYLOR
BRIAN C. HEWITT
HOLIDAY HART MCKIERNAN
TIMOTHY W. MOSER
HUDNALL A. PFEIFFER
ANNE SLAUGHTER
JEFFREY M. STAUTZ
JOSEPH H. YEAGER, JR.
ELIZABETH THEOBALD YOUNG
JON A. BOMBERGER
BRUCE D. DONALDSON
RICHARD T. FRELJE, JR.
DEBRA L. HINSHAW
N. STEVENSON JENNETTE III
THOMAS A. PITMAN
SUSAN W. REMPERT
TIMOTHY L. STEWART
DANIEL L. BOEGLIN
KARL P. HAAS
TIMOTHY J. HAFNER
JILL HARRIS
MITZI H. MARTIN
JAMES M. MATTHEWS
RICHARD C. STARKEY
ROBERT S. WYNNE

*NOT ADMITTED IN INDIANA

ROBERT Y. KEEGAN
KARL J. STIPHER
BYRON P. HOLLETT
OF COUNSEL

FACT SHEET

Z-85-12-09

BILL NUMBER**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

6502 St. Joe Road

Reason for Project

WITHDRAWN AT PETITIONER'S REQUEST

Discussion (Including relationship to other Council actions)**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**John & Janet Sanner
City Department

Other

Opponents**Groups or Individuals**

Basis of Opposition

**Staff
Recommendation**☐ For☐ Against

Reason Against

**Board or
Commission
Recommendation****By**☐ For☐ Against☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 13 November 1985

Projected Completion or Occupancy

Date 31 January 1986

Fact Sheet Prepared by

Date 31 January 1986

Patricia Biancaniello

Reviewed by

Date

Gary Baker

1/31/86

Reference or Case Number

RECEIPT

No 512

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 11/13 1985

RECEIVED FROM

Larry Shine, Atty.

\$ 50.00

THE SUM OF

Fifty & 00/100

DOLLARS

ON ACCOUNT OF

6502 St. Joe Rd.

B. Steele

AUTHORIZED SIGNATURE

170

MAP NO. S-42

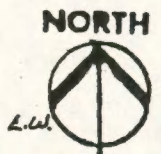
[illegible]

RA RESIDENCE 'A'
BIB LIMITED BUSINESS 'B'
R3 RESIDENTIAL DISTRICT

☐ SINGLE FAMILY
☒ MULTI-FAMILY
☐ COMMERCIAL
☐ RECREATIONAL-CLUB

Z-85-12-09

Date: 11-20-85



ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. 2

INDEX SHEET

ORIGINAL

3-15-12-09

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 6502 St. Joe Road

EFFECT OF PASSAGE Property is zoned RA - Suburban Residential. Property will become B-1-B - Limited Business District.

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

BILL NO. z-85-12-07

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort
Wayne Zoning Map No. R-38

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~) Withdrawn

YES

NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

DONALD J. SCHMIDT

THOMAS C. HENRY

CHARLES B. REDD

CONCURRED IN 2-11-86

SANDRA E. KENNEDY
CITY CLERK